

COMMONWEALTH of VIRGINIA
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March 22, 2010

Samuel Hayes, III, P.E, Director
Department of Minority Business Enterprise
1111 East Main Street, Suite 300
Richmond, VA 23219

Re: *Proposed Revisions to Virginia MBE Regulations 7 VAC 10-21-20, 7 VAC 10-21-130, and 7 VAC 10-21-310*

Dear Mr. Hayes:

In response to your request, I have reviewed the Minority Business Enterprises' proposal regarding proposed amendments to the above-referenced sections of the Virginia MBE Regulations.

Based on that review, I find that the Minority Business Enterprise's Board (the Board) has the authority to promulgate the amendments to *7 VAC 10-21-20, 7 VAC 10-21-130, and 7 VAC 10-21-310*, pursuant to Sections 2.2-1403 (8) of the 1950 Code of Virginia, as amended.

I also find that the proposed amendments are consistent with the statutory grant of authority to promulgate them, are consistent with the statutes, and are internally consistent. The proposed amendments do not appear to run afoul of state or federal statutes. I further find that the proposed amendments have no Constitutional defect.

Thank you for your time and kind consideration of this matter. Please do not hesitate to call me at (804) 786-7760 if you have any questions in this regard.

Sincerely,

Michelle Welch,
Assistant Attorney General